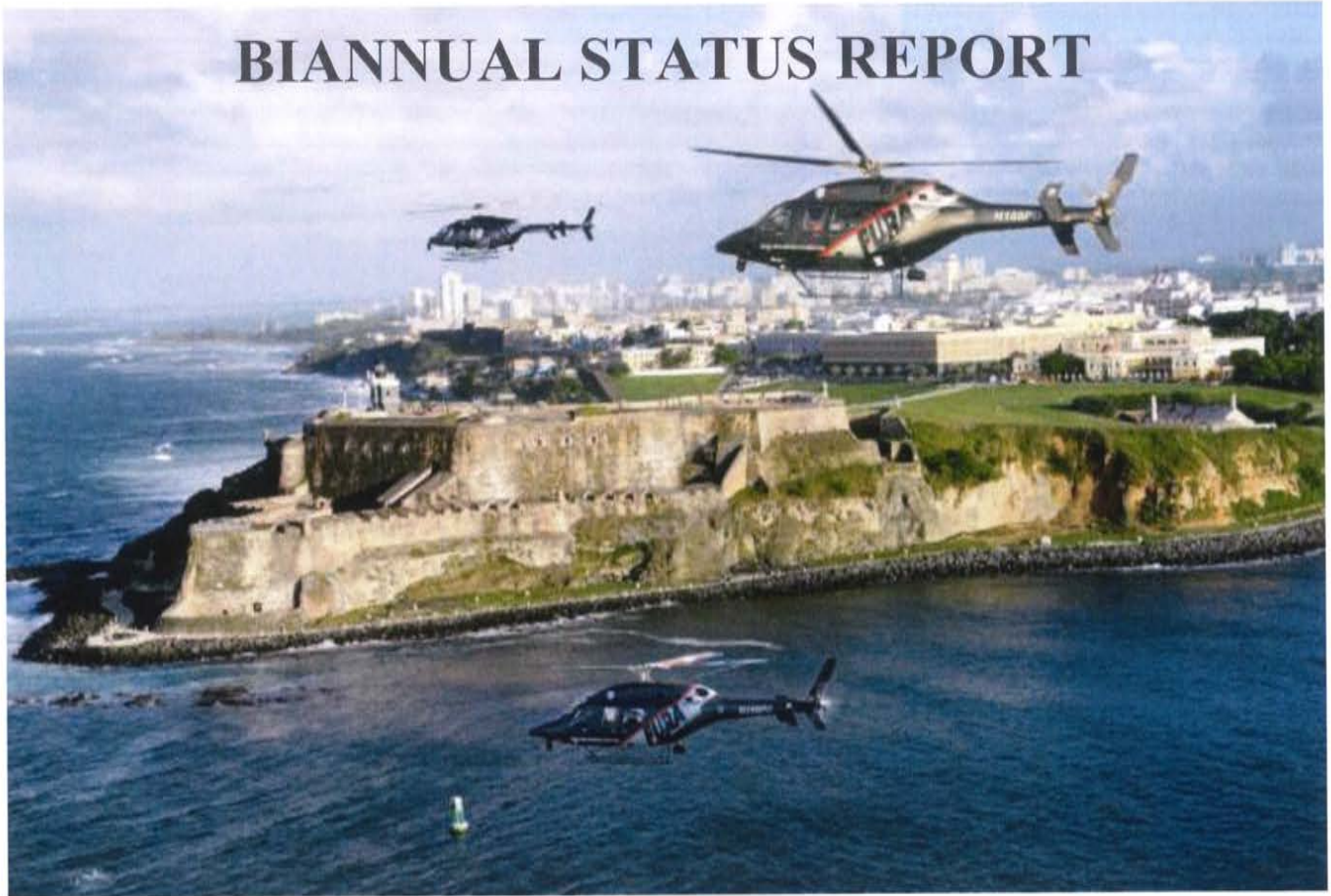


PUERTO RICO POLICE

BIANNUAL STATUS REPORT



Michelle M. Hernández de Fraley
Superintendent
May 24, 2017



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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiffs

V.

COMMONWEALTH OF PUERTO RICO, et al.

Defendants

CIVIL NO.: 12-2039 (GAG)

**STATUS REPORT AS OF MAY 25, 2017, OF THE PUERTO RICO POLICE
DEPARTMENT UNDER PARAGRAPH 261 OF THE AGREEMENT FOR THE
SUSTAINABLE REFORM**

TO THE HONORABLE COURT:

COMES NOW, the Commonwealth of Puerto Rico and the Puerto Rico Police Department, through the undersigned counsel, and respectfully submits the Puerto Rico Police Department's first Bi-Annual Status Report for the year 2017, in compliance with paragraph 261 of the Agreement for the Sustainable Reform of the Puerto Rico Police Department, Dkt. #60 (Agreement):

I. INTRODUCTION.

A. The Agreement for the Sustainable Reform of the Puerto Rico Police Department (hereinafter referred to as the "Agreement") states in its pertinent part that, beginning with the Technical Compliance Advisor's (TCA) first six-month report, Puerto Rico Police Department (PRPD) shall file with the Court sealed and unsealed versions of a status report. Therein, PRPD will delineate the steps taken during the review period to implement the Agreement, an assessment of the status of its progress, and any response to concerns raised in prior TCA's reports (paragraph 261 of the Agreement).

- B. Pursuant to paragraph 261 of the Agreement, the PRPD hereby submits its first (1st) bi-annual status report for the year 2017. This report encompasses progress of the PRPD in its reform efforts for the period comprising from November 26, 2016 to May 25, 2017. Any statistical data will be provided as of April 30, 2017, except areas where a different date is therein stated.

II. PROGRESS REPORT.

A. General Aspects.

1. Ride Along with the Honorable Judge Gustavo Gelpí.

On December 1, 2016, Judge Gustavo Gelpí participated in a field activity or “ride along”, in the jurisdictional area for the Hato Rey Oeste Precinct. In the ride along participated the Judge Gustavo Gelpí, the TCA, and officers of the Hato Rey Oeste Precinct and the Reform Office. The event began with a visit to the Command Center and Radio Control on the PRPD Headquarters, where the process of receiving and channeling of service calls was observed. Later they observed a change of shift in the Hato Rey Oeste Precinct. Finally, they participate in the ride along during the 8:00 pm to 4:00 am shift.

Members of the Puerto Rico Police Department (PRPDMS) assigned to the aforementioned Precinct, brought to the attention of Judge Gelpí, that attendance at trainings could reduce the amount of personnel that can work on the public’s complaints. As a solution to this concern, it was expressed to the Judge that in the future the PRPD will offer virtual trainings (Action Plans of Training and Technology and Information Systems; Activities 1.3 and 1.5 respectively), which would improve the training implementation, as well as the service that is provided to the community.

2. PRPD Directive on the Executive Order 2016-041 for Equal Access to Bathrooms for Transgender Persons.

On November 14, 2016, the Superintendent issued a directive to all PRPD employees to collaborate with the Puerto Rico Labor Department (through the Puerto Rico's Occupational Health and Safety Administration as a guiding entity) in the objective of educating and giving knowledge in the content of the Executive Order 2016-041 titled "*Equal Access to Bathrooms for Transgender People*" ("*Acceso Igual a Baños para Personas Transgénero*") and "*Guide for the Access to Bathrooms to Transgender and Transsexuals Employees in Puerto Rico*" ("*Guía para el Acceso a Baños a Empleados Transexuales y Transgéneros en Puerto Rico*"). Therefore, with this directive it is ordered that all PRPD employees guarantee the rights of transsexual or transgender workers, as well as equal access to sanitary facilities to any transsexual or transgender person who visits our Agency. This action is consistent with paragraphs 80 and 81 of the Sustainable Reform Agreement.

3. *Consent Judgement (Case 3:16-cv-02849-GAG Document 15 Filed 11/15/16).*

PRPD enter into this Consent Judgment in good faith and to avoid further expenses agreed to pay its current and former employees the amount of \$8,732,386.52 in compensation for overtime hours worked during the period from June 13, 2010 through August 31, 2014, plus interest from November 30, 2016 through October 31, 2023. PRPD agreed to this Consent Judgment, declaring that it fully understood the terms therein, acknowledging their responsibilities pursuant to the agreement, and gave consent to be subjected to sanctions if they fail to fully comply with its terms.

Funds for the payment of October 31, 2017, are in the hands of the Office of Management and Budget (OMB). PRPD will pay overtime compensation as follows:

- a. On November 30, 2016, Defendants will make a first installment payment of \$1,094,546.92 in principal and \$0.00 in interest;
- b. On October 31, 2017, Defendants will make a second installment payment of \$1,094,546.92 in principal and \$10,945.47 in interest;

- c. On October 31, 2018, Defendants will make a third installment payment of \$1,094,546.92 in principal and \$21,890.94 in interest;
- d. On October 31, 2019, Defendants will make a fourth installment payment of \$1,094,546.92 in principal and \$32,836.40 in interest;
- e. On October 31, 2020, Defendants will make a fifth installment payment of \$1,094,546.92 in principal and \$43,811.86 in interest;
- f. On October 31, 2021, Defendants will make a sixth installment payment of \$1,094,546.92 in principal and \$54,757.33 in interest;
- g. On October 31, 2022, Defendants will make a seventh installment payment of \$1,094,546.92 in principal and \$65,702.80 in interest; and
- h. On October 31, 2023, Defendants will make an eighth and final installment payment of \$1,070,558.08 in principal and \$71,938.81 in interest.

4. *Directive on Poster publication on Overtime Pay Rights.*

On January 12, 2017, the Superintendent issued a directive (memorandum number OS-01/01/15) ordering the publication of a poster containing the rights of PRPD's employees on overtime pay, in all of the PRPD's offices bulletin boards. This was done to comply with the Agreement between the United States Department of Labor and the PRPD (Case 3:16-cv-02849-GAG Document 15 Filed 11/15/16).

5. *Directive (OS-1-1-375) on "Monthly Local Academies" (periodicals meetings with the PRPDM's).*

On November 22, 2016, the past Superintendent established a directive to all supervisors of the PRPD, to continue to carry out the "Monthly Local Academies" as per the current policy. These policies address issues related to public policy that governs the PRPD as an agency of law and order, among other issues. The PRPD established an activity in the Action Plans to develop a comprehensive training program within the concept of Local Academies and roll call meetings. Likewise, the meetings will be conducted monthly and at the beginning of all work shifts of all personnel of the PRPD rank system. The purpose

of this action is to supplement training and continuous formal training of the PRPDM's (Action Plan of Policies and Procedures; Policy and Procedure Development Objective, Activity 5.1; and requirements of Agreement 111,112-116 and 132.).

6. *Directive for the Transfer to the Reform Office of any Document Related to Policy Development (OS-1-1-378).*

On November 29, 2016, the Superintendent issued a directive to the PRPD personnel on the subject of policy development. In the directive, it is mentioned that the recent approval of the Action Plans establishes affirmative actions or activities that the PRPD must perform for the implementation and compliance of the Agreement. As part of this process, there has been a need to revise current internal regulations, to avoid implementation delays and thus update the operations of the Agency in accordance with generally accepted police practices.

Therefore, through this directive, all responsibility for drafting, reviewing and amending policies was assigned to the PRPD Reform Office. To achieve this task, the Reform Office may request from any work unit; drafts of policies and procedures; technical or operational advice, among others, to comply with the development or revision of policies. In addition, it is ordered to transfer any file, document or material necessary to comply with this directive to the Reform Office.

The purpose of this directive is to establish a structured policy development process with a single unit of work coordinating the efforts and responsible for this entrustment. This helps to obtain from the people with the knowledge and expertise, the necessary information to assist in the process. The result will be the attainment of constitutional policies, viable, reasonable and in line with generally accepted police practices, minimizing the possibility of conflicts in administrative and operational processes.

7. *Reform Office Monitoring Visits (Self-Assessment).*

As mentioned in the previous status report, the Reform Office Section of Evaluation of

Programs, Initiatives and Operational Activities, conducted several monitoring visits to PRPD units during the period covered by the previous report. This effort has continued during the period covered by this status report. In these monitoring visits are reviewed the procedures performed and the documentation generated by them to evaluate the work unit's compliance with the Agreement, as well as policies, procedures, and applicable laws.

The monitoring process is carried out in accordance with paragraphs 133-134 and 232-233 of the Agreement. The main purpose of this process, is to successfully apply and improve procedures, within the capacity building period, to move to the next phase of the reform process with a solid foundation. The next step of the *Self-Assessment* process is meeting with the Area Commanders to inform them on the findings, discuss them, offer solutions, mentoring, and help if necessary. The final step will be a follow-up visit to verify that the findings found during previous evaluations have been corrected.

During 2016, the Police Areas of Fajardo Humacao, and Guayama were evaluated, and the meetings with the respective Area Commander were completed as scheduled. In 2017 the Police Areas of Aibonito, Utuado and Ponce have been evaluated, using the same approach.

Here are the most significant findings of these evaluation visits:

- a. Issues in keeping records of evidence of the celebration and the PRPDM attendance to the Local Academies (Monthly Meetings), as established in the Special Order 2010-7, titled, "Monthly Local Academies";
- b. Absence of training certifications in personnel records.
- c. Deficiencies in the use of the Forms PRPD-928 "Use of Force Incident Daily Reporting"; PRPD-82 "Conditions of the Person Ingress/Egress in the Cell";
- d. Not all staff makes use of the email;
- e. Failure to perform the weekly arc tests on the Electronic Control Weapon (ECW), as established in the policy in this regard;
- f. Deficiencies in evidence rooms or temporary custody evidence deposits;
- g. Reception issues with the Computer Aided Dispatch System (CAD) in certain areas;

- h. Lack of documents in criminal investigation files;
- i. There is no representation of all community groups in some of the Citizen Interaction Committees, according to the policy in this regard.

The findings of the self-assessments have been discussed extensively with the Area Commanders. In this way, they have had an effective feedback on the issues that warrant immediate attention. Therefore, the Area Commanders are in the knowledge and position to take corrective action at all levels of command and correct deficiencies immediately, and before a subsequent follow up visit. In some of the issues of the findings, policies have recently been developed, such as that of local academies (units monthly meetings to discuss new policies and procedures), evidence, among others. This will help to quickly correct the findings through the reform process, which includes the development and implementation of training once policies and procedures have been developed.

8. *Appointment of a Liaison from the Office of Management and Budget (OMB) for the PRPD.*

On January 20, 2017, the Superintendent requested the OMB the designation of a resource from its management area, to act as a liaison and collaborate with the process of reorganizing the PRPD organizational structure. This functionary, in collaboration with personnel of the PRPD Reform Office and Human Resources, will begin the process of evaluating and processing the organizational structure of the Agency. On February 24, 2017, the OMB appointed the person who will serve as liaison to the Agency personnel, to carry out the process of change, according to the current regulations and the Agreement.

This action is carried out in accordance with activities 1.1; 1.2; 1.3; 1.4; 1.5; and 1.6 of the Policy and Procedure Development Objective of the Action Plan of Policies and Procedures, in which are based the revision of the PRPD organizational structures.

9. *Internal Call for Personnel Interested to belong to the Tactical Operations Divisions (DOT for its acronym in Spanish or STU for its acronym in English according to the Agreement).*

On March, 2017, the Superintendent issued a call to recruit (memorandum number SAOC-13-149 of March 24, 2017) PRPDM's interested in joining the DOT, which is the operational unit that is primarily responsible for crowd control and/or riots. In the announcement, it is made clear that any PRPDM interested in being part of the DOT, in addition to meeting the minimum eligibility requirements, must comply with the criteria established in General Order Chapter 100, Section 112, titled, "**Reorganization of Tactical Operations Divisions**". The movement of personnel and the necessary training to certify PRPDM's, will be carried out in accordance with the current regulations and the Agreement of the PRPD Sustainable Reform.

They will have a specialized training in strategies, tactics and techniques to carry out their functions without the need to use excessive force, according to the policies of the Agency and guaranteeing the civil rights of the people. This action is akin to the provisions of the policy developed by the Activity 1.9 of the Use of Force Action Plan; Policies and Procedures Development Objectives.

III. ZONES OF EXCELLENCE (ZOE).

1. ZOE's Training Progress.

The table shown below summarizes the training progress in the five (5) ZOE's Districts/Precincts until April 30, 2017. The compliance percentage is based on the quantity of two hundred and sixty-nine seven (269) police officers assigned to de ZOE's.

ZONES OF EXCELLENCE TRAINING PROGRESS												
District/Precinct	Precinct 311 Bayamon Oeste		District 173 Utuado		District 059 Quebradillas		District 044 Las Piedras		Precinct 113 Caguas Norte		Totals	
Amount of Personnel per ZOE	95		33		44		41		56		269	
Trainings	#	%	#	%	#	%	#	%	#	%	#	%
General Order 600-603 Baton	83	87%	33	100%	42	95%	41	100%	56	100%	255	95%
General Order 600-622 Sexual Offenses	71	75%	33	100%	40	91%	40	98%	36	64%	220	82%
General Order 600-622 Sexual Offenses	71	75%	33	100%	40	91%	40	98%	36	64%	220	82%
Police Officers with Email Account	94	99%	33	100%	43	98%	41	100%	56	100%	267	99%
General Order 600-605 Use of Force	88	93%	33	100%	43	98%	41	100%	56	100%	261	97%
General Order 600-602 Electronic Control Weapon	93	98%	33	100%	43	98%	41	100%	56	100%	266	99%
General Order 600-615 Arrests and Citations	86	91%	33	100%	43	98%	41	100%	50	89%	253	94%

General Order 600-604 Pepper Spray	93	98%	33	100%	42	95%	41	100%	56	100%	265	99%
General Order 600-624 Transgender	76	80%	33	100%	43	98%	41	100%	55	98%	248	92%
General Order 600-618 Daytime Shooting	16	17%	16	48%	12	27%	14	34%	8	14%	66	25%
OG 600-618 Nighttime Shooting	50	53%	21	64%	38	86%	34	83%	11	20%	154	57%
OG 600-623 Pursuits	75	79%	32	97%	37	84%	41	100%	56	100%	241	90%
OG 600-612 Searches and Seizures	56	59%	33	100%	36	82%	41	100%	15	27%	181	67%
OG 600-627 Domestic Violence	19	20%	32	97%	43	98%	24	59%	55	98%	173	64%
Police Ethics (Code of Ethics)	81	85%	33	100%	43	98%	41	100%	22	93%	250	93%
District / Precinct Averages of Compliance	70	74%	31	93%	39	89%	37	91%	44	79%	221	82%

The information is presented by work units and the training provided. The total number of PRPDMs assigned, the amount and percentage of personnel that has been trained in each topic are observed from each unit of work. It is included as an indicator or additional compliance guide, at the end of the table, the average in quantity and percentage of MPPR trained in the different subjects. The information shows the ZOE's Units, have act in accordance with the training required in the policies developed, in compliance with the Agreement and following the guidelines and timeframes detailed in the Action Plans¹.

IV. COMPLIANCES AREAS.

The policies and procedures carried out under the Action Plans and the Agreement, mentioned in this report, have been reviewed and approved by the TCA, prior to being put in effect in the PRPD. In the case of the training materials, these also have been reviewed and approved by the TCA, prior to its implementation.

A. Professionalization.

1. *Formalization of the Contract for the Staffing Allocation and Resource Study (Paragraph 13).*

On April 24, 2017, the contract with the Company V2A, LLC was executed for the staffing allocation and resources study required in Paragraph 13 of the Agreement. This activity is carried out under the Professionalization Action Plan; Implementation Objectives; Activity

¹ For additional information regarding the dates and respective performance percentages of training implementation, see item number 24 of this document.

1.2 and 1.3. On May 16, 2017, all Auxiliary Superintendents, Area Commanders and corresponding unit contact points for each unit, were convened. During the meeting the V2A Company team was introduced, as they presented the methodology to be followed to realize the study.

B. Use of Force.

1. Policies Developed or Reviewed.

- a. *General Order Chapter 500, Section 502, titled, “**Puerto Rico Police Use of Force Incidents Review Board**”.*

On November 1, 2016, the previous Superintendent signed this policy on the evaluation of incidents of use of force by the PRPD. The purpose of this General Order, is to establish the functioning of the Use of Force Incidents Review Board (FRB) at police areas level; and the Board of Evaluation of the Incidents of Use of Force of the Superintendent (SFRB). These Boards will work as quality control mechanisms in the investigations related to incidents of use of force in which injuries have been reported, serious injuries or death, or those involving possible criminal conduct of a PRPDM, as appropriate.

The involvement of these Boards, is to ensure a complete, timely and objective evaluation of the investigation of reported incidents; evaluate whether the necessary evidence collection and with the terms applicable to the process, were complied with as provided in the PRPD policies. In this way, the needs for modification in operational tactics, policies and/or training will be identified. This is the first review of the policy, after having been developed as established in the Action Plan of Use of the Force (Policy and Procedure Development Objective; Activity 1.3; and requirements of the Agreement 22, 46-47, and 53), which shows that the process of development and review of policies and procedures has continued to flow, building with each step of the Action Plans, a solid foundation towards sustainability.

In compliance with this General Order, on February 13, 2017, the Superintendent appointed the new members of the Superintendent's Force Review Board (SFRB), responsible to comply with the directives established in the General Order Chapter 500, Section 502 titled “**Puerto Rico Police Use of Force Incidents Review Board**”. Consequently, this action is an additional sign of continuity and sustainability of the reform process, following the recent change of administration. This demonstrates the strong commitment of the Government of Puerto Rico and the PRPD to make the necessary changes to comply with the terms of the Agreement.

- b. General Order Chapter 600, Section 628, entitled “**Rules for Intervention with Persons in Crisis and Negotiation in the Taking of Hostages**”.

On April 4, 2017, the Superintendent signed this policy about crisis intervention and hostages. The purpose of this Order is to provide PRPDM's with guidelines for interaction and appropriate management of people with emotional or mental health crises, behavioral problems caused by transient mental disorders, and kidnapping and hostage situations. These norms will allow the PRPDM's to improve their response, so that they can effectively and responsibly deal with crisis situations such as; suicide attempts, hostage cases arising from bank robberies, domestic violence incidents or abductions, people entrenched, among other types of scenarios.

In situations of hostages or people on barricades, the policy of the PRPD will be to consider the lives of the hostages, civilians and police involved, as the most important priority. Therefore, they will act with the objective of increasing the chances of peacefully solving the incident, through communication with the suspect; develop and implement alternatives to resolve the incident if communications fail; and in hostage situations, shall make all reasonable efforts to secure their release.

Generally, the management of hostage takers and people suspected of suffering from mental health diseases represents a challenge for the authorities, as they are situations of crisis that may present a potential for violence. This makes it essential that the

PRPD personnel that interacted with them, have the knowledge in specialized techniques, to attend in a suitable way and to try to avoid the use of force unnecessarily. For this reason, it will be the public policy of the PRPD to work with people affected by a crisis, in the most beneficial and humane way possible, while taking measures to ensure safety and reduce possible harm to people, PRPD's and/or properties (Use of Force Action Plan; Objectives on the Response to Behavioral Crisis or Mental Health; Activity 1.1).

- c. Operational Manual: **“Crisis Intervention and Negotiations in Hostage Taking”**.

On April 4, 2017, the Superintendent signed this policy. In addition to the General Order Chapter 600, Section 628, titled **“Rules for Intervention with Persons in Crisis and Negotiation in Taking Hostage”**. This Operational Manual was developed with the purpose of providing generally applicable guides to this type of situation, which must be adjusted depending on the scenario of each situation and per the direction taken by the negotiation with the affected person. This requires the PRPD to implement continuous training and updates of techniques applicable to the negotiation processes (Use of Force Action Plan; Objectives on the Response to Behavioral Crisis or Mental Health; Activity 1.1).

2. *Statistics of Cases of Use Force by Police Areas*²:

- a. Use of Force Cases in 2016:

CASES OF USE OF FORCE REPORTED IN POLICE AREAS 2016

Police Areas	Level I	Level II	Level III	Level IV	Totals	% of Cases per Area
San Juan	36	42	71	4	153	12%
Arecibo	31	25	34	15	105	8%
Ponce	57	14	26	6	103	8%
Humacao	8	12	9	8	37	3%

² Statistics on force-use incidents may not reflect the current total of completed PPR-854 Forms, due to those en route to the Superintendence of Professional Responsibility (Division of Investigations of Use of Force Incidents [FIU], which is the custodian thereof).

Mayaguez	36	15	26	9	86	7%
Caguas	8	15	13	3	39	3%
Bayamón	76	48	99	31	254	20%
Carolina	29	20	167	4	220	18%
Guayama	5	16	9	8	38	3%
Aguadilla	53	26	8	3	90	7%
Utua	14	18	8	1	41	3%
Fajardo	6	23	18	10	57	5%
Aibonito	8	6	14	6	34	3%
Sub Totals	367	280	502	108	1,257	
Average	28	22	39	8	97	

b. Use of Force Cases in 2015:

CASES OF USE OF FORCE REPORTED IN POLICE AREAS 2015

Police Areas	Level I	Level II	Level III	Level IV	Totals	% of Cases per Area
San Juan	28	14	45	35	122	9%
Arecibo	43	76	25	2	146	10%
Ponce	89	58	37	24	208	15%
Humacao	5	16	16	14	51	4%
Mayaguez	57	41	24	3	125	9%
Caguas	15	26	42	8	91	6%
Bayamón	29	59	49	15	152	11%
Carolina	16	15	39	7	77	5%
Guayama	18	29	12	6	65	5%
Aguadilla	62	46	24	1	133	9%
Utua	20	26	15	4	65	5%
Fajardo	26	36	22	4	88	6%
Aibonito	44	8	20	8	80	6%
Sub Totals	452	450	370	131	1,403	
Average	67	68	50	17	206	

The above tables show the statistical information of cases of force use occurring in the police areas during the years 2016 and 2015. In 2016, the PRPDs performed 1,257 uses of force at the different levels. The highest trend was Level 3, followed by Level 1. Likewise, in 2015 the highest trend was in Level 1, followed by Level 2. In both years, the level of force use mostly used by PRPDs did not fall on Level 4, and the number of Level 4 incidents decreased in 2016 compared to 2015. The tables also, as additional statistical data, show a column with the percentage of cases occurring per area with respect to the total (refer to amount of 1,257 cases in 2016 and 1,403 in 2015). At the end of the table are presented the averages of cases occurred by levels of force use.

C. Searches and Seizures.

1. *Policies Developed or Reviewed.*

- a. General Order Chapter 400, Section 402, titled, “**Procedure for the Management and Disclosure of Recordings of the Radio Communication System in the Puerto Rico Police**”.

On October 17, 2016, the previous Superintendent signed this General Order. The purpose of this policy is to establish a uniform procedure that will govern the handling and disclosure of the radio communication system recordings in the Police Areas of San Juan, Bayamón and Carolina, as well as any other police area in which it is implemented in the future.

This policy was created and delivered in accordance with the Action Plan of Searches and Seizures; Policy and Procedure Development Objective; Activity 1.4; and paragraph 66.

- b. General Order Chapter 600, Section 636, titled, “**Rules and Procedures for the Handling, Custody and Disposition of Evidence**”.

On April 26, 2017, the Superintendent signed this policy on evidence handling. It is intended to establish a uniform procedure for the management, custody and disposition of any property seized by the PRPDM’s that constitutes evidence, to maintain a chain of custody of the evidence that allows its admissibility in judicial and/or administrative forums as well as the protection of the same.

This policy was developed in accordance with the Searches and Seizures Action Plan; Policies and Procedures Development Objectives; Activity 1.2; and paragraph 109 of the Agreement.

- c. General Order Chapter 600, Section 633, titled, “**Intervention with Juvenile Offenders**”.

On April 26, 2017, the Superintendent signed this General Order on juvenile offenders. This policy is intended to establish the procedure to be followed by the PRPDM’s when intervening with minors for the offenses commission. The PRPD has the responsibility of guaranteeing the civil rights of all persons, including minors, ensuring that police services are provided in an equitable, respectful, free from bias, guaranteeing every minor a fair treatment, faithful compliance with due process of law and the recognition of their constitutional rights.

Likewise, the PRPD must protect the public interest in treating children as people who need care and treatment, and at the same time are required to be responsible for their actions. The PRPDM will consider the welfare and protection of the minors in custody, making sure that special considerations are taken into their treatment, as provided by federal and state laws. This General Order integrates generally accepted police practices, to comply with applicable laws in accordance with the rights and privileges guaranteed and protected by the Constitution of Puerto Rico, the Constitution of the United States, laws, and applicable state and federal jurisprudence.

The development of this policy is analogous to the General Order Chapter 600, Section 615, titled “**Puerto Rico Police Authority to carry out Arrests and Citations**” and arises from the need to address with the same responsibility the side of the interventions with minors who commits offenses, as its counterpart the General Order 615, which attend the adults side. This approach derives from the Action Plan of Searches and Seizures; Policies and Procedures Development Objectives; Activity 1.1.

D. Equal Protection and Non-Discrimination.

1. *Policies Developed or Reviewed.*

- a. Review of Administrative Order No. OA-2016-4, titled, “**Investigation of Domestic Violence Incidents Involving Employees of the Puerto Rico Police**”.

On December 12, 2016, the former Superintendent, Jose L. Caldero Lopez signed the review of the Administrative Order mentioned above. The PRPD recognizes that its employees are not immune from being involved in incidents of domestic violence. The purpose of the review of this Administrative Order is to establish the additional procedures to be carried out in the management and investigation of domestic violence incidents, where these involve PRPD employees of the classified or rank system regardless of position or rank within the Agency, either as a victim or as an aggressor. This Order provides a comprehensive and proactive approach to domestic violence involving one (1) or more PRPD employees, adopting clear policies that make a strong statement that domestic violence will not be tolerated in the Agency.

While this policy prioritizes the safety of victims, it is designed to address the issue of prevention through effective recruitment and training practices, training supervisors to recognize the first signs of domestic violence for an early intervention, establishing a structured response to incidents of domestic violence involving PRPD employees, and providing guidance for subsequent administrative and criminal investigations. This Administrative Order will be interpreted in conjunction with General Order Chapter 600, Section 627, titled “**Investigation of Incidents of Domestic Violence**” (Equal Protection and Non-Discrimination Action Plan; Policies and Procedures Development Objectives; Activity 1.8, and paragraphs 93, 98-100, 111[d] [e] y 113).

- b. Addendum to the “**Internal Regulations for the Prevention of Discrimination. Harassment and Retaliation of the Puerto Rico Police**”.

On March 13, 2017, the Superintendent put into effect amendments to the abovementioned Regulation in its Articles IV and V. In general, they deal with the application of the Regulation regarding their prohibitions in the following three (3)

figures: against persons applying for employment in the agency; by or against former employees, and by or against contractors. Moreover, the definition of stalking was amended and the definition of contractor was added to the policy.

This information will be distributed within a period of no more than fifteen (15) days from the date of approval by email to all PRPD employees. As well as future employees of the PRPD will receive a copy of this Regulation, validating it with their signature, within a period of fifteen (15) days from the date of its start as employee of the Agency.

- c. General Order chapter 600, Section 635, titled, “**Investigation on Mistreatment and/or Neglect in Juvenile Institutions**”.

On April 25, 2017, the Superintendent signed this policy on investigation for mistreatment and/or neglect in juvenile institutions. The PRPD, through this policy, establishes the procedures governing PRPDMs at the time of receiving a report on an incident in which the commission of an offense between members of a juvenile institution or some type of abuse or neglect is alleged by a youth institution towards some of the minors in their care. It incorporates the investigative methodology and the required referrals to specialized units, according with the circumstances.

The primary purpose is to address this problem with the required speed and the programmed efficiency, since it is in the public interest to ensure the health, safety and well-being of minors, including any minor offender who is admitted to some youth institution of the Correction and Rehabilitation Center. This activity is carried out in accordance with the Action Plan on Equal Protection and Non-Discrimination; Policy and Procedure Development Objective; Activity 1.17; and requirements 92 and 111(d).

2. *Line of Orientation to Victims of Sexual Offenses.*

The following table shows the number of calls received monthly to the Sexual Offender Victim Counseling Line. This information shows the implementation of the line, as set out in the Action Plan Equal Protection and Non-Discrimination; Objectives of Policy and Procedure Development, Activity 1.9, and the paragraph 96 of the Agreement.

Statistics of the Orientation Line for Victims of Sexual Offences October 4, 2016 to April 30, 2017								
Status/Action Taken	October 2016	November 2016	December 2016	January 2017	February 2017	March 2017	April 2017	Total
Total Received Calls	28	24	57	78	121	180	133	621
Filed Complaints:	28	22	51	61	91	143	117	513
Sexual Offences	8	10	25	42	43	99	80	307
Mistreatment	3	3	5	3	16	15	10	55
Orientations	15	7	13	15	24	16	14	104
Other Crimes	2	2	8	1	8	13	13	47

The table shows the total number of calls received on a monthly basis. In the second line show how many actually resulted in filed complaints. The line of filed complaints, are classified in the next lines as: sexual offenses, mistreatment, orientation and other crimes. In the case of the column titled “**Total**”, of the six hundred and twenty one (621) calls received, five hundred and thirteen (513) resulted in filed complaints, and out of these: three hundred and seven (307) were sexual offenses, fifty five (55) mistreatment, one hundred (104) orientations and forty seven (47) complaints were of other crimes.

E. Policies and Procedures.

PRPD, in accordance with the Action Plans has a total of sixty (60) policies completed, thirty one (31) in progress, and additional eight (8) on the schedule to be developed. In the other hand PRPD also have to work on seventy five (75) policies not included on the Action Plans that have an impact on operational matters, of these already twenty-eight (28) are in course: either pending signature, approval or others in the process of development.

1. Policies Developed or Reviewed.

- a. General Order Chapter 600, Section 631, titled, “**Cell Ingress and Egress**”.

On December 19, 2016, the former Superintendent, Jose L. Caldero Lopez, signed General Order 631, resulting from the review of the General Order 98-11, titled, “**Rules and Procedures for the Management of Persons under Custody in the Jail of Police Quarters and/or Dependencies**”. Although this activity is not part of the Action Plans, there was a need for it to be revised, because of the development of the General Order Chapter 600, Section 615, titled “**Puerto Rico Police Authority to Carry Out Arrests and Citations**”, to actualize updating their respective Form PRPD-82 “Conditions of the Person Ingress/Egress in the Cell”, to temper both policies on the PRPD custody cells.

The purpose of this review is to comply with the Agreement, Action Plans, and current legislation in this regard (especially with the Prison Rape Elimination Act [PREA]).

- b. General Order Chapter 600, Section 632, titled “**PREA**” (Prison Rape Elimination Act).

On December 19, 2016, the former Superintendent, Jose L. Caldero Lopez, signed General Order 632. The purpose of this policy is that PRPD complies with the provisions of the PREA. To establish national standards to prevent, detect and respond to any incidents of sexual abuse or harassment.

Therefore, to continue advancing towards the effective protection of the dignity of all persons and to strengthen ties of trust with the communities, the PRPD will train all of its personnel on the fundamental rights of persons arrested and per the statutes of PREA. Therefore, it will be possible to detect, respond to, eliminate and prevent sexual abuse and harassment of persons arrested, to comply with the duty of the Government to protect persons in custody in a uniform manner.

This General Order, establishes a zero tolerance policy regarding sexual abuse and harassment, which complements the actual policy of arrests that is already in place, thus is achieving the PRPD comprehensive directives regarding the protection of the rights of persons and consonants with the Agreement and current legislation in force therein.

F. Training.

1. Policies Developed or Reviewed.

- a. General Order Chapter 100, Section 108, titled, “**Reorganization of the Auxiliary Superintendence in Education and Training**”.

The purpose of this General Order is to reorganize the Auxiliary Superintendent in Education and Training to provide it with the necessary work units that have the faculties for training, and retraining of all personnel of the rank system and civilian personnel of the Police of Puerto Rico. As well as, ensuring that the Auxiliary Superintendent in Education and Training understand their responsibilities, the scope of their authority, and the Agency's policies, so that they can discharge these responsibilities and work effectively. This policy defines the provisions that apply exclusively to the operation of this Auxiliary Superintendence.

As a law and order agency, the PRPD has the responsibility to offer all the inhabitants of the island the necessary security, to be projected as an integral, agile, equitable and transparent body. For this it is urgent to develop the following training programs: prior to the service; field; and in service training and retraining. In turn, the Agency should provide clear and articulated learning objectives in these programs, with generally accepted assessment methods to determine and shape the knowledge, skills and attitudes of the participants.

To fully comply with the Agency's goals of protecting lives and property, guaranteeing the civil rights of individuals and increasing the public's trust in it, it is necessary to have excellent law enforcement officers with training programs that includes cognitive, psychomotor and affective dimensions. (Training Action Plan, Policy and Procedure Development Objective, Activity 1.3, and the requirements of Agreement 117 and 121). This General Order amended the part of Special Order 2010-02, titled “**Norms for the Investigation of Personnel Incorporating into the Agency by Reason for Reinstatements and Readmissions**” dealing with cases of PRPDM who have been out of the PRPD for more than five (5) years and upon approval of reinstatement or readmission, they have to take a training whose duration is at the discretion of the Superintendent. This period was reduced to more than one (1) year off-duty of the PRPD.

- b. General Order Chapter 700, Section 702, titled, “**Rules and Procedures of the Pre-Service Training Program**”.

The PRPD through the Pre-Service Training Program reiterates its commitment to provide effective, complete and excellent training to its police officers. It requires a teaching minimum of contact hours on generally accepted police practices and related to quality of service, among these are the responsibilities of the position, the scope of authority granted by the Government of Puerto Rico, consistency in procedures, compliance with laws and policies of the PRPD. The program will be comprised of training that promotes discipline, leadership, human relations, application of ethical principles in the discharge of their functions, protection of civil rights and community policing principles. The Auxiliary Superintendent in Education and Training is primarily responsible for designing curricula that comply with the above, as established, in the Action Plans and the Agreement (Training Action Plan; Policy and Procedure Development Objectives; Activity 1.1).

2. *Directive for the Searches and Seizures Training.*

On November 3, 2016, the Superintendent issued a directive giving priority to the Auxiliary Superintendence in Criminal Investigations units, to be trained first on the contents of the General Order Chapter 600, Section 612, titled, “**Puerto Rico Police Authority to Puerto Rico to Carry out Searches and Seizures**”. This is related to what is established in the Action Plan to implement and achieve compliance with the provisions of the Training Implementation Objectives; Activities 1.1 (c); and 1.2 (1, 2, 3, 4, 6), which establishes the order of priority for the training on this policy.

The priority of training ordered in this guideline is established by the type of work performed by the personnel of these work units and the frequency in which they conduct investigations.

3. *Syllabus and Training Designs.*

- a. On December 2016, the PRPD Reform Office referred to the TCA for review and approval eleven (11) training designs, developed by the PRPD Academy, related to the subject of Use of Force. (Training Action Plan; In-Service Training and Retraining Development and Implementation Objectives; Use of Force Compliance; Area Training Development Activities 1.1 [1.1.1; 1.1.2; 1.1.5; 1.1.6; y 1.1.9]). The same are listed below:
 - i. REA 601_605(S): Rules for the Use of Force for PRPDM’s exercising Supervisor functions;
 - ii. REA 601_605: Rules for the Use of force for PRPDM’s which do not exercise Supervisor functions;
 - iii. REA 601_605 (R): Retraining of Use of Force Rules for PRPDM’s;
 - iv. REA 602 (R): Electric Control Weapon Operators Recertification Course;
 - v. REA 602: Electronic Control Weapon Operators Certification Course;
 - vi. REA 603: Expandable Baton Operators Course;
 - vii. REA 603 (R): Retraining Course for Expandable Baton Operators;

- viii. REA 604: Certification for Operators in the Use and Handling of Chemicals Agents;
 - ix. REA 604 (R): Recertification of operators in Use and Handling of Pepper Spray;
 - x. SWAT 101: Special Tactics and Weapons; and
 - xi. REA 104³: Protection of Dignitaries.
- b. On December 2016, the PRPD Reform Office referred to the TCA for review and approval the training designs, developed by the PRPD Academy of the ESAL 100 Course, titled, “Preparatory Course for Promotion to the Rank of Sergeant”. (Supervision and Management Action Plan; Training Development Objectives; Activity 1.2).
- c. On December 2016, the PRPD Reform Office referred to the TCA for review and approval four (4) syllabus, developed by the PRPD Academy, related to the compliance area of Professionalization. (Professionalization Action Plan; Training Development Objectives; Activity 1.1; and the Collaborative Agreement between the Ethics Office and the PRPD). The same are listed below:
- i. OEG 100: Ethical Police Leadership;
 - ii. OEG 101: Organizational Leadership and Human Capital Management;
 - iii. OEG102: Professional Attitude; and
 - iv. OEG-103: Emotional Health and Stress Management of the Policeman.
- d. On January 2017, the PRPD Reform Office referred to the TCA for review and approval five (5) training designs, developed by the PRPD Academy, related to the compliance Area of Use of Force, which were approved on February 3, 2017. (Use of Force Action Plan; Training Development Objectives; Activity 1.4.) The same are listed below:

³ Although this training design (REA 104) is not stipulated in the Use of Force Action Plan, the General Order Chapter 100, Section 104, titled “Creation of the Auxiliary Superintendence of the Fortress Police” has implications with the use of force theme that requires training.

- i. REA 618 D: Service Firearm Qualification;
 - ii. REA 618 N: Reduced Light Service Firearm Qualification;
 - iii. REA 618 X: Course Reaction of Stress Shooting;
 - iv. REA 618 R: Familiarization with the Sig Sauer Rifle, Mod. 516, Caliber 5.56 mm;
and
 - v. REA 618 E: Familiarization with the Remington Shotgun, model 870-12-gauge.
- e. On March 2017, the PRPD Reform Office referred to the TCA for review and approval four (4) syllabus, developed by the PRPD Academy. The same are listed below:
 - i. Police Corruption Course (Policies and Procedures Action Plan; Training Development Objectives; Activity 1.2);
 - ii. Writing and Reviewing Reports (Searches and Seizures Action Plan; Training Development Objectives; Activity 1.3);
 - iii. CAD 101-System Operator Data Collection on the incidence of crime in the Mobile Application (CAD 101) (General Order Chapter 600, Section 621, titled, “Controls on the Use, Distribution, File and Final Disposition of Reports of Incidents of Crime NIBRS in the Puerto Rico Police”, and it is also indirectly related with the Use Force Action Plan, Training Development Objectives, Activity 1.15; and Equal Protection and Non-Discrimination Action Plan, Training Development Objective, Activity 1.1.7); and
 - iv. Community Police (see Community Engagement and Public Information Action Plan, Training Development Objectives, Activity 2.3 (2.3.1; 2.3.2; 2.3.3; and 2.3.4).

4. *Sequential Pre-Service Curriculum 2017-2018.*

On February 24, 2017, the Superintendent approved the Sequential Pre-Service Curriculum for the period 2017-2018, developed by the PRPD Academy. Thus, it complies with what

is established in the Training Action Plan; Pre-Service Training Development Objectives; Activity 2.1 and paragraphs 111 (e), 117, and 119-122.

5. *Trainings provided to PRPD Police Officers.*

Here are shown the amount of PRPDMs trained in each policies mentioned below and the compliance dates provided by the PRPD Academy, to achieve 50% and 100%. PRPD has complied with the percentages of the training mentioned in the table following the provisions of the Action Plans and the Agreement.

- a. Until April 30, 2017, the Police Academy has trained and certified PRPDMs⁴ in different topics as shown in the following table:

Training Courses	PRPDM's Trained	% of PRPDM'S Trained	Date to meet 50% of Training Implementation	Date to meet 100% of Training Implementation
General Order 601 and 605 Use of Force	11,136	83%	January 30, 2017	Jan 30, 2018
General Order 602 Electronic Control Weapon (ECW) (16 hours)	5,023	87%	December 5, 2016	December 5, 2017
General Order 602 Recertification of ECW (8 hours)	5,974			
General Order 602 Refresher Course for ECW Operators (2-3 hours)	697			
General Order 603 Baton (16 hours)	4,476	91%	September 27, 2016	September 27, 2017
General Order 603 Baton (8 hours)	7,234			
General Order 603 Baton (3 hours)	417			
General Order 604 Pepper Spray	11,502	90%	November 21, 2016	November 21, 2017
General Order 604 Pepper Spray (Recertification 4 hours)	507			
General Order 612 Searches and Seizures	4,792	36%	August 12, 2017	August 12, 2018
General Order 615 Arrest and Citations	10,727	84%	October 24, 2016	October 24, 2017
General Order 615 Arrest and Citations (Recertification)	466			
General Order 617 Code of Ethics	11,590	87%	October 24, 2016	October 24, 2017
General Order 622 Sexual Offences	4,498	34%	October 24, 2017	October 24, 2018
General Order 623 Police Pursuits	8,562	64%	September 17, 2017	September 17, 2018
General Order 624 Transgender	9,307	70%	June 10, 2017	June 10, 2018
General Order 627 Domestic Violence	2,380	18%	October 21, 2017	October 21, 2018

6. *Annual Fire Arm Training.*

During the period from January 1 to April 30, 2017, the Auxiliary Superintendence in Education and Training of the total of thirteen thousand three hundred and seventy-three

⁴ The percentage has been calculated by ASET using as reference an estimated total number of thirteen thousand three hundred and seventy three (13,373) PRPDM's, According to the information provided by the training coordinators.

(13,373) PRPDMs reported by the training coordinators; trained in firearms the personnel shown in the following tables:

- a. Daytime Shooting Training (this training included stress shooting; shotgun; pistol caliber .40; and transition from shotgun to handgun):

Daytime Shooting Training Statistics	
Police Areas	PRPDM Trained
San Juan	286
Arecibo	236
Ponce	306
Humacao	124
Mayaguez	207
Caguas	148
Bayamón	173
Carolina	119
Guayama	161
Aguadilla	161
Utuaado	77
Fajardo	103
Aibonito	80
Auxiliary Superintendence in Education and Training	54
Auxiliary Superintendence of Fortress Police	27
FURA	122
Others Units	329
Total	2,713
Percent	20%

- b. Nighttime Shooting (caliber .40 pistol with reduced light):

NIGHTTIME SHOOTING TRAINING	
Police Areas	PRPDM Trained
San Juan	955
Arecibo	658
Ponce	639
Humacao	338
Mayaguez	510
Caguas	386
Bayamon	530
Carolina	404
Guayama	300
Aguadilla	486
Utuaado	232
Fajardo	300
Aibonito	228
Auxiliary Superintendence in Education and Training	188
Auxiliary Superintendence of Fortress Police	78

FURA	468
Others	609
Total	7,309
Percent	54%

Night firearm training (reduced light), reached fifty-four percent (54%) of the PRPDMs trained, more than half in the first four (4) months of the year, the remaining time is projected enough to Complete the same during the next session of the year. As for daytime training, twenty percent (20%) of the PRPDMs has been trained, the trainings continue and is projected to meet the annual target set. These trainings are carried out according to the Use of Force Plan of Action; Training Implementation Objectives; Activity 1.1 (d).

7. *Pre-Service Training.*

On April 12, 2017, the PRPD through the Auxiliary Superintendent in Education and Training, two (2) PRPDM's graduated of police basic training (pre-service). (See item number 27 on the FTO's subject of this document, for more information on these PRPDM's).

8. *Field Training Officer (FTO) Program.*

The Field Training Program continues in accordance with established policies. On April 12, 2017, two (2) PRPDM's graduated of law enforcement basic training (pre-service). They were assigned to the Bayamón Police Area as apprentices and they were assigned mentors for Phase 1 of the five (5) week program.

9. *Trainings for the Superintendent Force Review Board (SFRB) and the Police Areas Force Review Boards (FRB).*

From January 24 to 25, 2017, workshops were given to members of the FRB's and the SFRB on the topics of specialized weapons by certified instructors. The subjects instructed in these workshops to the PRPDMs of the Boards were given per the following syllabi: **DOT 603** (Rigid Baton); **DOT 604** (Tear Gas) and SWATDD (Distraction Device).

The workshops were carried out in accordance with the Use of Force Action Plan; Activity 1.3 of the Training Development Objectives; Paragraphs 46 to 48 of the Agreement; and the General Order Chapter 500, Section 502, titled “**Puerto Rico Police Use of Force Incidents Evaluation Boards**”, in its Section III of Rules and Procedures, Subsection I (1) (c, d) of Training.

10. *Canine Division Training.*

After the approval of the General Order Chapter 100, Section 116, titled “**Reorganization of the Canine Division**”, the Auxiliary Superintendence in Education and Training developed the “Dogs Handlers” course (REA-116), which was approved by the TCA. Afterward, PRPD proceeded to train PRPDMs attached to this Division as Canine Handlers. The course consists of two hundred (200) contact hours (five [5] weeks) and a deadline to train staff on or before July 14, 2017. The Canine Handlers to be trained were divided into four (4) groups, the training was carried out during the period of July 18, 2016 to April 7, 2017. A total of seventy-five (75) Handlers were trained out of a total of seventy-nine (79) PRPDMs with canines assigned, for ninety-five per (97%) of the total. As for the four (4) PRPDMs that were not trained, two (2) of these failed to approve the training and were reassigned to other work units. The remaining two (2), were injured during training and will be trained once recover from their injuries.

This activity has been carried out in accordance with the Use of Force Action Plan, Policies and Procedures Development Objectives, Activity 1.15; Training Development Objectives, 1.14; and Implementation Objectives, Activity 1.1 (1).

11. *Formalization of the Contract for Virtual Trainings.*

On March 17, 2017, the contract was formalized between the PRPD and the National College of Business and Technology (NCBT), to offer virtual courses to the MPPR and thus provide a Virtual Education Program that will facilitate and modernize training in the Agency. This concept, in addition to saving costs, will streamline the implementation of

training and improve the availability of time to provide services. This activity is carried out under the Training Action Plan; Implementation Objectives: Activity 1.3; and the Information and Technology Systems Action Plan; Objectives of Development of Implementation of Information Systems and Technology; Activity 1.5.

As reported by the Auxiliary Superintendence in Education and Training, which is in the process of coordinating with the National University College everything related to the virtual courses, the projection is to begin to offer ten (10) courses in mid-September of this year. The courses to be offered are the following:

- a. Hate Crimes;
- b. Theoretical phase of the retraining of the topics of: Use of Force, Baton, Electronic Control Weapon and Pepper Gas;
- c. Arrests and Citations;
- d. Discrimination;
- e. Service Weapon Shooting Training, Nighttime, Stress Shooting, and Shotgun and Rifle;
- f. Criminal Investigation;
- g. Sexual Offenses;
- h. Domestic Violence;
- i. Transgender and Transsexuals; and
- j. Searches and Seizures.

G. Supervision and Management.

1. Policies Developed or Reviewed.

- a. General Order Chapter 100 Section 124 titled “**Office of Internal Audit**”.

On November 1, the prior Superintendent, Jose L. Caldero Lopez, signed the General Order of the Office of Internal Audit. The purpose of this order is intended

to reorganize the Internal Audit Office, to temper its organizational structure and redirect and strengthen the entire public oversight system to maximize its effectiveness in combating improper conduct with respect to funds and public property. To achieve this objective, the Office of Internal Audit was established, whose main function is to supervise the transactions of the funds and public property to verify if they have been carried out in accordance with the laws and current policies in force.

This policy is a result from the revision of the General Order 2010-1 titled “**Reorganization of the Internal Audit Office**” that was carried out in accordance with the Supervision and Administration Action Plan; Policy and Procedures Development Objectives; Activity 4.1. This policy establishes the structure of the unit that will be responsible of enforcing the guidelines to ensure; compliance with the current policies and procedures; identify administrative and operational deficiencies; and analyzes causes, and establishes effective policies corrections or disciplinary actions if necessary.

H. Civilians Complaints, Internal Investigations, and Discipline.

1. Policies Developed or Reviewed.

- a. On October 31, 2016, Regulation Number 8841 was approved, titled, “**Regulations for the Receipt, Process, Investigation and Adjudication of Administrative Complaints against Employees of the Puerto Rico Police Department**”.

This Regulation establishes the rules and procedures to be followed by the PRPD in the receipt, processing, investigation and adjudication of any administrative complaint for improper conduct that is filed against its employees. It will act as a useful tool in the identification and prevention of improper conduct and in the development of a working environment in accordance with the highest principles of police ethics and the protection of human and civil rights. It also establishes the

processes to be followed so that all administrative complaints received are attended, investigated and adjudicated in a diligent, thorough, fair, equitable and impartial manner.

The ultimate objective of this regulation is to restore the credibility and confidence of communities towards the PRPD and guarantee transparency in the processes and guarantee that all employees of our agency observe exemplary conduct and always safeguard the security and rights of everyone. The PRPD reiterates in its policy of zero tolerance to discrimination in accordance to what is established in current legislation and that the processing and handling of administrative complaints, will always be in accordance with the established protocols, and have at their core respect for diversity and human rights.

The development of this policy in compliance with the provisions of the Action Plan, is evidence of the commitment of the Agency to comply with the provisions of the Agreement (Civilian Complaint Action Plan; Policy and Procedure Development Objectives; Activity 1.3).

- b. On February 28, 2017, the Superintendent signed the Administrative Order 2017-1, titled, “**Puerto Rico Police Employee Assistance Program**”.

This Administrative Order is intended to create the Employee Assistance Program (PAE for its acronym in Spanish) of the PRPD. This policy establishes the rules and procedures for its implementation and administration to provide services to employees who confront problems or difficulties that affect them in their personal or work environment. This action establishes the public policy of the PRPD, to provide non-punitive support services to deal with and correct behavior problems, as part of disciplinary and performance improvement systems (Civilian Complaints, Internal Investigations, and Discipline Action Plan; Training Development Objectives; and Activity 2.3).

In support of the PPRPD Employee Assistance Program, two (2) additional psychologists were integrated by contract for professional services.

2. *Selection of Personnel for the Superintendence in Professional Responsibility (SPR):*

On February 9, 2017, PRPD sent to the TCA for review and approval the study to determine the number of employees necessary for the investigation of administrative complaints according to current regulations. PRPD, in carrying out this action, complied with the Activity 3.1 of the Implementation Objectives of the Administrative Complaints Action Plan.

On May 8, 2017, the Superintendent issued an announcement to recruit PRPDMs interested in joining to the SPR. The PRPMs interested must meet minimum requirements established in the announcement. This action is carried out in accordance to the Administrative Complaints Action Plan; Implementation Objectives; Activity 3.2.

3. *Superintendence of Professional Responsibility (SPR) Administrative Complaints Statistics.*

a. Administrative Complaints received and investigated.

The following table shows the amount of Administrative Complaints received and investigated, as well as complaints pending investigation from January 1 until April 30, 2017:

Police Areas	Complaints Received in 2017	Complaints Investigated on 2017	Complaints Investigated from Previous Years ⁵	Complaints Pending Investigation of 2017	Complaints Pending Investigation ⁶ from Previous Years	Total of Complaints Pending Investigation
San Juan	66	61	42	47	14	61
Arecibo	52	67	28	13	1	14
Ponce	44	62	45	27	4	31
Humacao	33	37	28	24	4	28
Mayaguez	51	49	36	38	10	48

⁵ This total includes administrative complaints investigated from the years 2015 and 2016.

⁶ Complaints pending investigation from previous years include the years 2014 through 2016.

Caguas	60	54	31	37	9	46
Bayamón	77	89	64	52	12	64
Carolina	45	47	19	17	0	17
Guayama	22	18	11	15	11	26
Aguadilla	58	45	31	44	1	45
Utuado	14	10	5	9	1	10
Fajardo	24	28	14	10	0	10
Aibonito	29	29	18	18	0	18
Domestic Violence	61	39	32	54	10	64
Gender Discrimination	25	10	10	25	6	31
Sexual Harassment	11	9	8	10	2	12
Labor harassment	84	48	42	78	12	90
IAB ⁷	56	52	41	45	64	109
Totals	812	754	505	563	161	724

b. Controlled Substances Detection Test.

In compliance with Paragraph number 200 of the Agreement, for the period of January 1 to April 30, 2017, PRPD has continued performing tests to detect the use of controlled substances in PRPDM's. To ensure the reliability and validity of tests performed prior to service for cadets and to PRPDM's, the tests are conducted randomly.

The table below shows the number of controlled substance tests performed on PRPDM's during the aforementioned period. The information is shown monthly divided by the thirteen (13) police areas, and cadets. During the period covered, ninety four (94) tests of approximately thirteen thousand three hundred and seventy three (13,373⁸) PRPDM'S were held, representing point seven percent (0.7%) of the total PRPDMs. Of the total number of tests performed, none tested positive for controlled substances:

Police Areas	Jan	Feb	Mar	April	Total
Aguadilla	0	0	0	0	0
Aibonito	0	0	0	0	0
Arecibo	0	0	0	0	0

⁷ Internal Affairs Bureau (IAB) is responsible for investigating any complaint of apparent or alleged conduct of a criminal nature made or in which it is involved an employee of the PRPD, except complaints of aggravated assaults, violent death, suspicious death, suicide, missing persons, sexual assault, domestic violence and sexual harassment, which will be investigated by the Auxiliary Superintendence for Criminal Investigations (SAIC, for its Spanish acronym).

⁸ For the purposes of calculating percentages, this figure was used as the basis on the amount of PRPDMs reported in the training compliance area of this report. It comes from the figures reported by the training coordinators according to personnel lists of their respective units. This is for the purpose of maintaining numerical uniformity throughout the progress report, which completes the personnel study of Paragraph 13 of the Agreement.

Bayamon	0	0	0	0	0
Caguas	0	0	0	0	0
Carolina	0	0	0	0	0
Fajardo	0	0	0	0	0
Guayama	0	0	0	0	0
Humacao	0	0	0	0	0
Ponce	0	0	0	0	0
Mayaguez	0	0	0	13	13
Utuado	0	0	0	11	11
San Juan	0	0	0	70	70
Cadets	0	0	0	0	0
Totals	4	1	0	94	94
Positives	0	0	0	0	0

The total amount of performed tests during this period was limited during the period of January to April 2017, due to the government transition after the recent administration change. This requires and deserves the verification of all administrative aspects, especially those related to public funds. Moreover, at the beginning of any incoming government administration the approval of contracts and other similar processes can be temporarily affected. Currently the contract for the program is approved, and the process of testing for controlled substances will continue its course. However the PRPD, by way of clarification, states that the amount of funds needed for the Controlled Substances Detection program is not sufficient to comply with the current regulations for all PRPD personnel.

- c. The following table summarizes all administrative complaints filed by the Office of Legal Affairs and the Superintendence in Profesional Responsibility signed by the appointing authority, during the period from November 1, 2016 to April 30, 2017. These are classified by final dispositions as established in Paragraph 188 of the Agreement:

Office of Legal Affairs (OAL)					
Month	Sustained	No Sustained	Unfounded	Exonerated	Total
November 2016	3	22	8	0	33
December 2016	22	22	4	7	55
January 2017	37	14	4	2	57
February 2017	10	2	0	0	12
March 2017	16	7	6	1	30
April 2017	7	15	1	5	28
Total	95	82	23	15	215

Superintendence in Profesional Responsibility (SPR)					
Month	Sustained	No Sustained	Unfounded	Exonerated	Total
November 2016	64	29	7	14	114
December 2016	0	27	1	9	37
January 2017	12	45	10	30	97
February 2017	6	150	22	114	292
March 2017	73	37	3	13	126
April 2017	34	20	4	8	66
Total	189	308	47	188	732

I. Community Engagement and Public Information.

1. *Policies Developed or Reviewed.*

a. General Order Chapter 800 Section 805 titled “**Community Encounters**”.

On November 23, 2016, the former Superintendent, Jose L. Caldero Lopez, signed the policy about Community Encounters (EC for its acronym in Spanish). The purpose of this General Order is to promote the interaction between the PRPD and the communities through the development and implementation of the EC, led by the Community Outreach Program and Public Information in each one of the thirteen (13) Police Areas.

Community Meetings are assemblies in which members of the communities and the PRPD participate, with the main purpose of informing and talking to the public about the Reform processes, the specific efforts made by the PRPD to comply with the Agreement, to identify strategies and mechanisms to develop strong relationships with the community and integrate them in the fight against crime in the Police Areas, and listen to their opinions and receive feedback. The ECs will be held two (2) times a year in each Police Area during the capacity building period of the Agreement. Once the training the capacity building period is completed, they will be held annually.

In this policy, it was included the “*Guide for the Coordination of Community Encounters, Program of Community Engagement, and Public Information*”. The

objective of this Guide is to provide an effective interaction between the PRPD and the communities, allowing them to exchange and contribute ideas on the problems of their communities during the celebration of the EC. Likewise, in the General Order, the following forms were included: “*Collations of Documents and Materials that Accompanied the Results Report*” (Annex EC-2); “*Program of Community Outreach and Public Information/Your Opinion is Important*” (Annex EC-3); and the “*Community Meetings Assessment Sheet*” (Annex EC-4). All these forms help both, the prior coordination and the evaluation of the results of the EC’s, resulting in a transparent process.

This policy was revised as established in the Action Plan for Community Engagement; Policy and Procedure Development Objective; Activity 3.1; and paragraphs of the Agreement 24, 88, 113, 214, 215, 216, and 217, demonstrating the continuity and reliability of the reform process aimed at sustainability.

b. General Order Chapter 800 Section 801 titled “**Citizen Interaction Committees**”.

On April 17, 2017, the Superintendent signed the review version of this General Order. The policy complies with the provisions of the Community Interaction Action Plan, providing sustainability to the reform process. It aim to establish the duties and responsibilities of the Citizen Interaction Committees (CIC's), at individual and group levels. Moreover, it establishes the organizational and functional structure of the CIC’s. Historically the CICs have emerged as one of the PRPD's initiatives to work together with communities in the fight against crime and to improve police practices and develop a community-based approach through ongoing communication and cooperation between the PRPD and community leaders. In addition, they will advise from the point of view of the communities, will evaluate and recommend the PRPD on the effectiveness of the measures and initiatives it has implemented, policies and recruitment, promoting direct access of the communities to the PRPD. The revision of this policy is done as established in

the Action Plan of Interaction with the Community and Public information; Policies and Procedures Development Objectives; and Activity 1.1.

2. *Activities of Dissemination of Public Information.*

a. Discussion Group.

During the period covered by this progress report, the implementation of the Discussion Groups sessions started, as established in General Order Chapter 800 Section 801 entitled “**Citizen Interaction Committees**”. This policy establishes that the **Central Committee** will annually conduct one (1) open Discussion Groups session to the public with the collaboration of the Spokespersons of the Area Committees. The goal of this activity is to listen the concerns about the PRPD and safety issues in the communities in order to gather recommendations; invite communities to submit a community plan to work together with the PRPD; and present a summary of the recommendations made to the PRPD by the CIC’s. Likewise, the **Area Committees** will hold two (2) Discussion Groups sessions. The purpose of these is to know the community's concerns about PRPD; the security problems and the concerns of the different community sectors; and to gather the recommendations discussed on the concerns of the communities.

The implementation of the Discussion Groups is part of the result of the Action Plan of Interaction with the Community; Policy and Procedure Development Objective; Activity 1.1.

On April 17, 2017, a meeting was held with the spokespersons, alternate spokespersons, facilitators of the Citizen Interaction Committees (CICs), and the Police Areas Commanders, with the purpose of guiding the components of the Committees on the content of the revised General Order Chapter 800, Section 801 titled, “**Citizen Interaction Committees**” signed that day. Besides, another point addressed at the meeting, was the delivery of the CICs Internal Regulation, as

established in the General Order and the offer of assistance made by PRPD, as the Committee deems necessary for the development of its Internal Regulation.

Finally, the members of the CICs were instructed about the content of the General Order, which they certified with their signature in a document together with the signature of their respective Area Commander. The certifications contained the following: that each one of them understood its responsibilities, duties and functions to the Committee to which they belong; that such guidance was offered by the PRPD Reform Office, in compliance with paragraph 211 of the Agreement for the Sustainable Reform of the PPRD with the Department of Justice of the United States, signed on July 17, 2013 and the Plan of Action of October 2016, in Section XII, page 254, and that what was stated in the document was the truth and nothing but the truth. (*See* Docket No.514)

The information of the Discussion Groups Sessions carried out until April 30, 2017 is shown below:

Discussion Groups Sessions Celebrated January 1 to April 30, 2017			
Police Area	Date	Attendance	Topics Discussed
Aibonito	January 25	87	How to avoid being a victim of crime
Aibonito	February 27	25	How to avoid being a victim of crime
Carolina	January 28	82 (college students)	Citizen Security and LGBT Community
Fajardo	March 15	101	The Reform and the Agreement
Fajardo	March 17	41 (deaf community)	Collect concerns and listen to alternatives to facilitate community communication with the PRPD during interventions
Humacao	March 2	41(30 college students)	Police Reform, youth and the university community
San Juan	March 21	90	The Reform of the PRPD and the criminal incidence in the Condado Sector of San Juan
Aguadilla	March 29	75	Mental Health
Caguas	March 30	109 (77 college students)	Use of Force and the importance of the Academy in the reform process

b. Orientations/Conferences.

As part of the actions leading to compliance with the Agreement and to the development of transparency in the Puerto Rico Police Reform, different mechanisms have been established to involve various sectors of the community.

i. On November 12, 2016, the PRPD, represented by personnel from the Reform Office and the Superintendence in Professional Responsibility, participated in the monthly meeting of the Case Clarification Committee of the “Alianza para la Paz Social” (Alliance for Social Peace or ALAPÁS for its acronym in Spanish) at its facilities in Río Piedras. The purpose was to provide guidance on administrative procedures and operations of the PRPD that are of interest to the Committee and thus promote alliances. A total of ten (10) people attended the event and the following topics were developed:

- Aspects about the presentation of administrative complaints and compliments;
- Investigation Processes of the Division of Investigations of Cases of Use of Force (FIU) and statistics compilation;
- Agreement for the Sustainable Reform of the PRPD and processes of measurement and compliance through the Plans of Action; and
- Continuity of monthly meetings with the PRPD Auxiliary Superintendence of Criminal Investigations for the clarification of cases.

This orientation was coordinated with Ms. Myra Rivera, community collaborator in the Reform process, representative in the “Community Working Group on Police Reform” (GRUCORPO) of “ALAPÁS”, of which she is founder and Vice President. ALAPÁS is a non-profit organization composed of family members who have lost loved their loved ones for various causes, who utilizes their experiences

to provide other families with the tools and support needed to deal with the grieving process.

- ii. On March 28, 2017, personnel from the PRPD Reform Office provided guidance on the Sustainable Reform of the PRPD, to members of the Citizen Interaction Committees, community leaders, environmentalists and merchants of the Municipality of Loíza, among others.

In the orientation, it was discussed the following topics related to the Reform: the federal investigation into the PRPD and the findings report; lawsuit; initial agreement; motion submitted on December 21, 2012; Agreement of 2013; The eleven (11) areas of compliance; and policies created or reviewed by compliance areas. In addition, it was discussed the transgender people PRPD policy; the Constitutions of the United States of America and the Commonwealth of Puerto Rico; and social changes and PRPD's procedures in interventions with transgender people. This action is related to the paragraph 205 of the area of compliance of community engagement and public information.

- c. First Meeting of the Central Committee of Citizen Interaction (CIC's).

On November 16, 2016, was held in Hatillo the first meeting of the current Central CIC's, sworn in during the month of October 2015. The celebration of this meeting marked the first step of the incumbency of the current Central CIC, an achievement that shows that the PRPD is aimed at complying with the provisions of the Agreement in requirements 21, 113, 205, 209-213 and the Action Plan of Community Engagement; Objective of Development of Policies and Procedures; Activity 1.1; where the revision of the General Order Chapter 800 Section 801 entitled "**Operation of the Central Committee and of the Committees of the Areas of Citizen Interaction**" is established. Prior to this first meeting, several activities were set out in the above-mentioned Action Plan (Activities 1.6, 1.7, 1.8, 1.9, 1.10 and 1.11 of the Implementation Objectives part).

J. Information System and Technology.

1. *Policies Developed or Reviewed.*

- a. General Order Chapter 100, Section 101, titled “**Auxiliary Superintendence of Managerial Services**”.

On January 25, 2016, the Superintendent signed the General Order described above. This Order reorganizes the Auxiliary Superintendence of Management Services (SASG for its acronym in Spanish), according the new plan of organization and structuring of the PRPD. This to achieve organizational goals in the most efficient and effective manner, in accordance with best administrative practices and to implement the necessary policies and procedures for the efficiency of management systems and processes aimed at promoting a highly professional police force at all levels of ranks, thus guaranteeing a better achievement in their work performance, as established in the PRPD Reform. The development of this General Order is contemplated in the Plan of Action of Information Systems and Technology; Policy and Procedures Development Objectives; Activity 1.12; and requirements 218 to 223.

- b. General Order Chapter 400, Section 403, titled “**Rules for the Use of Computerized Systems**”.

On December 19, 2016, the former Superintendent, Jose L. Caldero Lopez, signed the General Order on the Use of Computerized Systems. This policy establishes the rules and procedures for the use of Computerized Information Systems in the PRPD.

To continue updating and implementing the Information Systems and Technology services, PRPD reviewed this policy in accordance with the Systems Information and Technology Action Plan; Policy and Procedure Development Objectives,

Activity 3.1, as part of the integration processes and procedures for data capture, processing, storage and distribution of information with the premise of supporting the operational, investigative and administrative areas. In that sense, consolidate strategies to update and improve operational capacity and effective performance in terms of citizen protection and security, as well as the PRPDM's.

- c. General Order Chapter 400, Section 404, titled "General Order Chapter 400, Section 404, titled, **"Rules and Procedures for the Use of the Communication Radios of the Puerto Rico Police"**.

This General Order signed by the Superintendent, on January 13, 2017, aims to establish the rules and procedures for the use of communications radios in the Puerto Rico Police and thus standardize communications by this means, in terms of safety and efficiency.

It establishes the functions and responsibilities of the Agency's employees in the use and management of radio communications, as well as the activities carried out in a radio station, including the obligations and prohibitions of the operator. In addition, it establishes relevant guidelines on the use of radio frequencies and safety procedures (Information and Technology Systems Action Plan, Policy and Procedure Development Objectives, Activity 2.1, and requirements of Agreement 66 and 218).

- d. General Order Chapter 100, Section 123, entitled **"Technology and Communications Bureau"**.

On January 23, 2017, the Superintendent signed the General Order Chapter 100, Section 123. This policy reorganizes the Bureau of Technology and Communications (NTC for its acronym in Spanish) of the PRPD. The NTC will be responsible for guiding and coordinating the administrative policy in accordance

with the guidelines issued by the Superintendent of the PRPD and the Auxiliary Superintendent of Management Services.

This Bureau shall have as its main responsibility the planning, organization, implementation and maintenance of computerized information and communication systems, in accordance with applicable laws, protocols and regulations on the use of computer equipment (hardware) and the programs (software) developed for them, as well as the radio and telephone communications of the Agency (Information and Technology Systems Action Plan; Policy and Procedure Development Objectives; Activity 1.13).

2. *Computer Access to PRPD Employees in Ponce Police Area.*

The Ponce Police Area relocated available equipment to provide its workforce staff with access to computers within twenty-four (24) hours of the seven (7) days of the week. Thus, it provides its personnel with the technological tools necessary for staff to verify their official e-mail, see policies, laws, guidelines, forms and prepare other official documents. This follows the requests of the Agreement in its paragraph 218, which states that “PRPD shall establish information systems and utilize technology to support the implementation of the Agreement in an efficient and effective manner.”

V. PRPD RESPONSE TO CONCERNS RAISED BY THE TECHNICAL COMPLIANCE ADVISOR (TCA) IN THE PREVIOUS SIX-MONTH REPORT.

1. *Paragraph 13: Staffing and Resource Study Deadline.*

The PRPD recognizes and shares the concerns raised by the TCA in its previous report regarding Paragraph 13, especially on its compliance date and development status. For the PRPD the study of personnel and resources has high priority, since the results, will be fundamental for the success of its future performance. According to the TCA, the PRPD had to have completed the study of personnel and resources in June 2016.

The study is a difficult task by various factors such as; the size of the PRPD and the multiple variables that must be considered to achieve an optimal outcome that guides the organization towards effective and efficient use of its resources. The most important obstacles to the achievement of this study are economic, organizational size, internal staff with knowledge, or failing that, an external company with the required experience to carry out the same. **Consequently, PRPD has not had the start that it anticipated because of the obstacles encountered in carrying out the study. However, after a reassessment of the process, PRPD requested additional time to apply a different line of action for the compliance of Paragraph 13. The request was accepted by the TCA and DOJ, and is being updated in the Action Plan.** Instead of a single activity in the Action Plan, the process was divided into three (3) activities with their respective completion dates. The first phase of the study has been completed, complying with the deadline of December 2016 (Activity 1.1, Implementation Objectives of the Professionalization Action Plan). The other two (2) phases are scheduled for December 2017 (Activities 1.2 and 1.3).

As mentioned above, PRPD is working with the remaining phases to be completed, and appreciates all the help that the TCA and the DOJ can provide in the effort to achieve the goals by **December 2017**, as agreed.

2. *Concerns of the TCA regarding the Mounted.*

- a. TCA's comment on the absence of training for the Mounted Division.

The General Order Chapter 100, Section 127, titled "Reorganization of the Puerto Rico Police Mounted Division" that reorganizes the Mounted Division, was signed by the Superintendent on May 15, 2017. Soon, the PRPD will take the necessary steps to train the PRPDMs attached to this Division.

3. *Polygraphs Tests performed to the Drug Divisions Personnel.*

In compliance with the General Order Chapter 100, Section 122, titled "**Restructuring of**

the Bureau of Drugs, Narcotics of Vice and Illegal Weapons", on the part of permanence criteria in the Drug Division, is established as one of the criteria to favorably approve the polygraph test administered according to the policy in force. Given the aforementioned, on May 2, 2017, eighty-nine (89) PRPDMs assigned to the Bureau of Drugs were transferred to the Auxiliary Superintendence of Field Operations, after failing to comply with this requirement. Based on the General Order mentioned above, the PRPD is in process of executing the establishment of an Evaluation Board, doping tests and physical fitness test.

4. *Personnel Transfer Transactions.*

The TCA on February 28, 2016, issued a report on a review of the transfer transactions carried out in the PRPD during the period from September 2016 to January 2017. It indicates circumstances where the PPRPD has to improve to achieve fulfillment with the provisions of the Paragraph 197 of the Agreement. To this end, the PRPD will take the necessary measures to correct these situations and to comply with the aforementioned Paragraph. Some of the measures to be implemented are mentioned below:

- a. Revision of the General Order of the Auxiliary Superintendence of the Fortress (Governor House and facilities) Police, so that the PRPDM assigned during a certain administration to the Fortress and its dependencies, return to their unit of origin, once the period of this assignment ends. With the main purpose of maintaining an effective staff balance in all work units, and being able to provide the best service possible to all people in general.
- b. In the case of transfers in the Transit Office, which were carried out outside the authority of the Director, those transfers have been revoked as a remedy to the situation.

VI. CONCLUSION

The PRPD has made an enormous effort to achieve the objectives set out in the Action Plans and the Agreement. During this process, external resources such as the TCA, the US Department of Justice and the communities in general have cooperated with their knowledge in the areas covered by the Agreement, by providing suggestions and their experiences for the development of constitutional policies, free from discrimination and consistent with the Agreement and generally accepted police practices. All this at a great economic cost and a huge human effort invested in the development of policies, training and its implementation. This effort places us in a closer position to achieve a transparent, constitutional community policing in performance of their duties. Overall progress has been achieved in almost all areas of compliance, except for the recruitment area, where the recruitment policy has been delivered on time and is currently in the approval process, and expected to be approved soon.

As of April 30, 2017, PRPD has completed, approved and published sixty (60) policies of the themes covered by the Agreement, and on which the training materials have been developed or are in the process of being developed. Likewise, there are thirty-one (31) policies under development, which are expected to be approved soon and the training process as set out in the Action Plans. On the other hand, an aspect pertinent to the effort made by the PRPD is the development of seventy-five (75) policies that are not contemplated in the reform process, and which affect operational matters and deserve to be reviewed. At present, twenty-eight (28) of these policies have been worked on, some are pending signature and others are in the process of development and approval.

The development of training materials has gone hand in hand with the development of policies, as well as training, which has been provided in accordance with the requirements of compliance with the Agreement and Action Plans. As of April 30, 2017, PRPD has worked with the development or revision of training materials of twenty-eight (28) different courses, as detailed in this report.

Another relevant aspect of the reform process has been the technological advances achieved, although slow for some, have in fact been exceptional achievements that have been building a basis for future tasks such as the staffing and resources study (Paragraph 13) and the virtual trainings project, in which contracts have already been formalized for their implementation. As part of the effort to meet the objectives outlined, PRPD has continued to carry out a self-assessment process in the police areas. It had been initiated during the period covered by the previous progress report and has continued to be carried out at present. This report mentions the significant findings regarding these self-evaluation visits and the feedback process with supervisors in order to correct deficiencies in implementation.

Pursuant to Paragraph 239 of the agreement, the PRPD has requested an extension of the capacity building period of four (4) months, to compensate for the additional time that has required the development and revision of policies directly or indirectly related to the Agreement, in addition to the established by Law 53- 1996, as amended, which will be repealed as a result of Law 20-2017, titled "Puerto Rico Department of Public Security Law".

CERTIFY

I hereby certify under penalty of perjury under 28 U.S.C. § 1746 and any other applicable law of United States of America, that the foregoing report and information is true and correct. Executed on San Juan, Puerto Rico, on this 24th day of May, 2017.



Michelle M. Hernández de Fraley
Superintendent Puerto Rico Police

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that on this same date, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to all attorneys of record.

WANDA VAZQUEZ GARCED

Secretary of Justice

WANDYMAR BURGOS VARGAS

Acting Deputy in Charge of
General Litigation

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